IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 3009 OF 2006

IN

FIRST APPEAL ST. NO. 5749 OF 2006

THE UNITED INDIA INSURANCE CO. LTD. ...APPLICANT.

VS.

MANISHA SADIKHUSSAIN KADRI & ORS. ...RESPONDENTS.

RAJESH BEHERE FOR THE APPLICANT IN CA. 3189/07, 3190/07 & 3191/07 & RESPONDENT IN C.A. NO. 3011/07 AND 3009/07 & FA ST.NO. 5724/2006 & 5749/2006.

MR. PANKAJ DAS I/B. R.S.DARANDALE FOR RESPONDENT NO. 1. IN CA 31819, 3190/07 & 3191/07 AND APPELLANT IN C.A. NO. 3011/07, 3009/07 & FA ST NO. 5724/06 & 5749/06.

CORAM : J.N.PATEL & A.A. SAYED, JJ.

DATE : July 2, 2007.

P.C.

1. Heard.

2. It is submitted by the learned Counsel for the Insurance Company that the Company has not been able to file the Appeal within a stipulated period due to administrative reasons. The learned Counsel for the

other side has no objection for the same, subject to costs.

3. Though we find that the delay has not been properly explained and there is no sufficient reason, it is expected that Insurance Company to take decisions in such matters at the earliest. The delay on their part not to file the Appeal within time stipulated shows their callousness, still in order to give them a fair chance, we would like to condone the delay subject to costs. We quantify the cost as Rs. 1000/-. By consent, the cost be deposited by the Insurance Company with the District Legal Aid Services Committee, Thane within a period of four weeks.

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[A. A.Sayed, J] [J.N.Patel, J.]